

THE CITY OF SPRUCE GROVE

BYLAW C-1216-22

**LAND USE BYLAW AMENDMENT – FENWYCK MIXED USE
REDISTRICTING AND TEXT AMENDMENT**

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000 cM-26, a municipality shall pass a land use bylaw and may amend the land use bylaw;

AND WHEREAS, the City of Spruce Grove wishes to amend Bylaw C-824-12, the Land Use Bylaw;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled, hereby enacts as follows:

1. Bylaw C-824-12 is amended as follows:

- (a) To add the following in bold and delete that in strikethrough to Section 126 C4 – Integrated Mixed Use District:

(1) GENERAL PURPOSE

The purpose of this District is to provide for **Mixed Use** Development that integrates Street Oriented commercial Uses and residential Uses above in a multi-storey Building. This District is not intended to accommodate large format commercial Development.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none">• Animal Service Facility, Minor• Health Services• Mixed Use Development• Multi Unit Dwellings, above ground floor• Personal Service Establishment• Professional and Office Services• Retail Sales	<ul style="list-style-type: none">• Accessory Building• Accessory Uses• Alcohol Sales, Minor• Child Care Facility• Commercial School, non-Industrial• Eating and Drinking Establishment• Public Libraries and Cultural Exhibits• Private Club• Public Utility Building• Repair Services

(Bylaw C-942-15, Jan. 29, 2016)
(Bylaw C-1104-19, May 29, 2020)

(2) DEVELOPMENT REGULATIONS

In addition to the Regulations contained in Part 6 General Regulations, Part 7 Special Regulations, Part 8 Parking Regulations, Part 9 Landscaping Regulations, and Part 10 Sign Regulations, the following regulations shall apply to all Development in this District.

	Site Standard
Site Area (Minimum):	<ul style="list-style-type: none"> • 550.0 m²
Site Width (Minimum):	<ul style="list-style-type: none"> • 15.0 m
Front Yard Setback:	<ul style="list-style-type: none"> • 1.2 m (Minimum) • 3.0 6.0 m (Maximum) to accommodate features such as recessed entrances, courtyard entrances, patios and Landscaping that contribute to the pedestrian-oriented shopping character of the area. • An additional-5.0 2.0 m stepback for the third and fourth Storeys only for any Buildings in excess of two Storeys. This stepback will allow for greater sun exposure at Street level, and reduce the perceived massing of the Building. This additional stepback may be used as an Amenity Area for Development of upper floors.
Side Yard Setback (Minimum):	<ul style="list-style-type: none"> • 1.2 m • 7.5 m where the Site Abuts a District that allows Single Detached Dwellings as a Permitted Use. • 3.0 m (Maximum) for Corner Site to accommodate features such as recessed entrances, courtyard entrances, patios and Landscaping that contribute to the pedestrian-oriented shopping character of the area. • 5.0 m stepback on Corner Site for the third and fourth Storeys only for any Buildings in excess of two Storeys. This Setback will allow for greater sun exposure at Street level, and reduce the perceived massing of the Building. This additional stepback may be used as an Amenity Area for Development of upper floors.
Rear Yard Setback (Minimum):	<ul style="list-style-type: none"> • 6.0 m • 7.5 m where the Site abuts a District that allows Single Detached Dwellings as a Permitted Use.
Gross Leasable Use Area:	<ul style="list-style-type: none"> • 275.0 m² (Minimum Maximum) for Eating and Drinking Establishments (not including the kitchen area), and all other uses
Site Coverage (Maximum):	<ul style="list-style-type: none"> • 50%
Building Height (Maximum):	<ul style="list-style-type: none"> • Five Storeys not to exceed 19.1 m

(3) ADDITIONAL REGULATIONS

- (a) Commercial and Residential Uses shall occur in the same Building. Only Commercial Uses are permitted on the ground floor ~~when abutting Streets~~. **Standalone non-residential or residential buildings shall not be permitted in this district.**
- (b) Dwellings shall have access to Grade which is separate from the access to the Commercial Use.
- (c) Dwellings shall not be located on the same floor as a non-Residential Use.
- (d) An Amenity Area of 7.5 m² is required per Dwelling.
- (e) The common Amenity Area may consist of a single, distinct area or be divided into multiple areas. The Amenity Area shall include outdoor open space that provides adequate area for unstructured passive or active recreation to the satisfaction of the Development Officer, as well as two or more of the following:
 - (i) Playground equipment;
 - (ii) Benches, picnic tables, or other seating;
 - (iii) A gazebo or other shelter;
 - (iv) A patio;
 - (v) Courtyards;
 - (vi) Formal gardens; or
 - (vii) Other recreational or amenity uses that would meet the needs of the residents for the specific Development under consideration.
- (f) No outdoor storage is permitted.
- (g) No loading, parking or similar use shall be located in the Front Yard or any Yard adjacent to a Street.
- (h) Parking associated with the Dwellings shall be located on the Site.
- (i) Parking reserved and marked for employees shall be located on the Site, to the satisfaction of the Development Officer.

- (j) On-Street parking attributed to Commercial Uses shall be maximized where possible, to the satisfaction of the Development Officer.
- (k) Wherever feasible, vehicular access shall be from the flanking Street or Alley. In the event there is no flanking Street or Alley, the vehicular access shall be designed in a manner that has minimal impact on Abutting Streets and pedestrians.
- (l) Development on Lot 8B, Plan 9424151 and Lot 9, Block 1, Plan 1027111 **or subsequent legal land description due to subdivision** shall:
 - (i) Follow the Urban Village Design Guidelines set out in the Pioneer Lands Area Structure Plan – Gateway Lands Amendment, Bylaw C-797-11, adopted November 14, 2011; and
 - (ii) Where the Design Guidelines conflict with other regulations of the Land Use Bylaw, the Design Guidelines shall take precedence.
- (m) All development must have a strong Pedestrian Orientation both within the site, and to and from the site.

(Bylaw C-865-13, Feb. 10, 2014)
- (n) **The Development Officer may use their discretion regarding the stepbacks identified in (2) DEVELOPMENT REGULATIONS.**

2. Bylaw C-824-12, Schedule A City of Spruce Grove Land Use Bylaw Map, is amended as follows:

2.1 To redistrict Lot 31, Block 4, Plan 212 1297 from R2 – Mixed Medium to High Density Residential District to C4 – Integrated Mixed Use District, as shown on the map below:



3. This amending bylaw shall be consolidated into Bylaw C-824-12.
4. This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried August 22, 2022

Second Reading Carried

Third Reading Carried

Date Signed

Mayor

City Clerk